

Notice of Allowability

Application No.

10/800,304

Examiner

Hargobind S. Sawhney

Applicant(s)

STODDARD, JAMES MARSHALL

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the response filed on 8/26/05.
2. ☒ The allowed claim(s) is/are 1-4.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 3/12/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 9/14/2005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

1. The response to the restriction requirements filed on August 26, 2005 has been entered. Accordingly, claims 1-4 have been elected for further examination, and claims 5 and 6 have been withdrawn from further examination.

2. On September 14, 2005, a telephone conversation was held between the examiner and the applicant pro se, Mr. James M. Stoddard. The examiner needed rephrasing of a few limitations included in the independent Claim 1 for definite recitation.

Based on the above-indicated discussion, Mr. Stoddard authorized an examiner's amendment authorizing rephrasing of the limitations in Claim 1 as detailed in section 3 of this office action.

A copy of the interview summary is attached herewith.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with the inventor pro se Mr. James M. Stoddard on September 14, 2005.

- Claim 1, line 13, replace "may be inserted and" with -- is insertable in said adapter body to--;

- Claim 1, lines 17 and 18, replace "may be inserted an electrical receptacle" with --said electrical plug is insertable in said an electrical receptacle to electrically communicate with said electrical receptacle--;
- Claim 1, lines 21 and 22, replace "an electrical plug may be inserted and" with --said electrical plug is insertable in said adapter body to--;
- Claim 1, line 26, "may be inserted into an electrical receptacle," with -- is insertable in said electrical receptacle to electrically communicate with said electrical receptacle--;
- Claim 1, line 33, add -- plug--after "cord"; and
- Cancel claims 5 and 6.

Allowable Subject Matter

4. Claims 1-4 are allowed.

The prior art of record, including Major (US Patent No.: US 6,290,533 B1), does not show or suggest the applicant's invention as claimed. Specifically, the prior art of record does not disclose an illuminated electrical adapter device combining:

- an illuminating module including a light-emitting diode (LED), a battery and means to control electrical power - a switch -; and the illuminating module removably attachable to an adapter body which is insertable in an electrical receptacle as recited in Claim 1.

The above-indicated combination of the features, a battery-powered illuminating module removably attachable to an adapter body, which is insertable in an electrical receptacle, makes this invention unique.

Major ('533 B1) discloses a flashlight plug including an electrical power plug including a battery-powered light source positioned within the housing of the electrical power-plug. Although, the light source illuminates an electrical receptacle, the battery-powered light source is not disposed in an adapter connected to a power plug. Further, the battery-powered light source assembly is not an independent body removably attachable to the adapter body. Thus, Major ('533 B1) does not meet the limitations of the independent Claim 1.

Therefore, Claim 1 is allowed over prior art.

Claims 2-4 are necessarily allowed because of their dependency on the allowable base Claim 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wright (US Patent No.: 5,007,857) and Tong (U.S. Patent No.: 4,350,407)

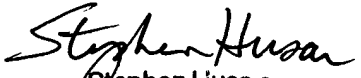
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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hargobind S. Sawhney whose telephone number is 571 272 2380. The examiner can normally be reached on 6:15 - 2:45.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on 571 272 2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HSS
9/14/2005


Stephen Husar
Primary Examiner